



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2301966

Proponent Name: Chad Lorentz with Runberg Architects for
Merrill Gardens at Queen Anne LLC.

Address of Proposal: 805 4th Ave. North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a 3-story, 155-unit assisted living facility consisting of six buildings connected to a communal building with below-grade parking for 69 vehicles. Project includes future demolition of existing building under separate permit.

The following approvals are required:

Design Review pursuant to Seattle Municipal Code (SMC) 23.41

Design Departures for lot coverage, structure width and depth, and setbacks.

SEPA - Environmental Determination pursuant to SMC 25.05

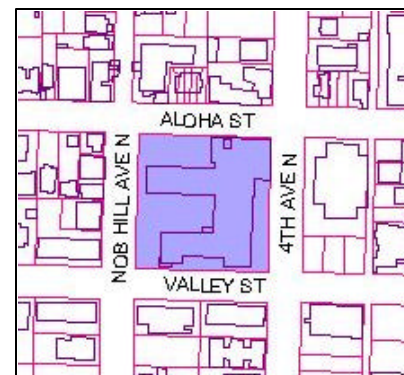
SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND & VICINITY INFORMATION:

The 66,560 sq. ft. project site covers a full city block and is boarded by Aloha Street on the north, 4th Avenue North on the east, Valley Street on the south and Nob Hill Avenue North on the west. Street frontage measures 256' east to west and 260' north to south, improved with full curbs and gutters. The topography of the site slopes downward approx. 16' from the northern property line to the southern property line. In order to accommodate the existing building¹ and an adjacent surface parking lot, the site's natural topography was altered by grading down the northern portion of the site and is bounded by existing



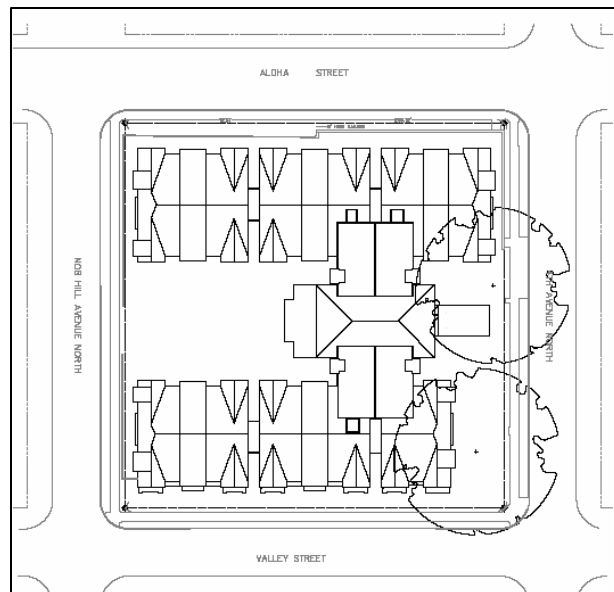
¹ Once used by Seattle's School District as administrative offices.

retaining walls at Nob Hill Avenue N. and Aloha Streets. Zoning for the site is Multifamily Residential Lowrise 3 (L3).

Neighboring development and uses on the adjacent sites are; to the north are three, three-story multifamily structures and a five-story multifamily structure, to the east a one-story administrative office to be demolished for the future construction of a three-story multifamily structure (see MUP file 2306825), to the south a one-story office building and a two-story multifamily structure, and to the west are two two-story multifamily structures and a one-story single family structure. Generally, the development in the neighborhood consists of single family structures, 1950s styled apartment buildings and new development of two to three story townhomes with street level garages. Due to the south sloping topography of Queen Anne Hill, there are views to the Space Needle and downtown. The site is in close proximity to the Seattle Center and the Queen Anne commercial area. A public transit stop for Metro Transit 3 and 4 are 0.1 miles (1 block) to the east of the site at the intersection of 5th Avenue N and Valley Street.

The Proposal

The proposal is for a three-story 145,065 gross floor area (gfa) assisted living project with 155 residential units, constructed above and adjacent to a partially below grade parking level that includes residential apartments facing Valley Street, an activity center, a wellness center, a commercial kitchen and an in-house laundry facility. The underground parking garage has 69 parking stalls (including 4 barrier-free stalls) and is accessed from Valley Street. The structure will be wood frame construction with a concrete basement. The building is arranged in a U-shape around an 80-foot wide, west-facing central courtyard with pedestrian access to Nob Hill Avenue North. The main residential portion of the building is entered via a porte-cochere from 4th Avenue North adjacent to two large (110") elm trees that will remain and be incorporated into the landscaped on the eastern portion of the site. An existing masonry building will be demolished in order to develop the proposal.



Public Comment, Design Review:

Three Design Review meetings were held on this proposal and included opportunities for public to comment; Early Design Guidance meetings were held on September 17, 2003 and on December 17, 2003 and the Recommendations meeting on April 21, 2004. The public's comments focused on the location of the common open space, landscaping, bulk and scale of the buildings, exterior materials, vehicle access/location and the number of parking spaces to be provided. Refer to the Master Use Permit (MUP) file for details on these meetings.

ANALYSIS - DESIGN REVIEW

At the meetings noted above, the Design Review Board members provided siting and design guidance to be considered in the development of the site. In response to the Board's guidance and recommendations, the proponent applied for a Master Use Permit (MUP) on January 14, 2004.

DESIGN GUIDELINE PRIORITIES:

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily & Commercial Buildings*," November 1998, of highest priority to this project.

A. Site Planning	
<p>A-1 Responding to Site Characteristics: Solar Orientation</p> <p>The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.</p>	<p><u>Response by the proponent:</u></p> <p>Solar Orientation – The building is sited along an east-west axis to allow the greatest sun exposure to the courtyard and allow for light to penetrate into the common gathering spaces “warming the spaces”. Natural Features – The building is sited to preserve two existing elm trees at the eastern portion of the site. Topography – The main access is at existing grade and the courtyard level is open ended along Nob Hill Avenue N. Significant Views – South facing units on upper stories will have views to the Space Needle and downtown Seattle.</p>
<p>A-2 Streetscape Compatibility</p> <p>The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.</p>	<p><u>Response by the proponent:</u></p> <p>The project seeks to reinforce the residential urban village plan by concentrating the mass of the building at the street and stepping back the mass of the upper floor. A 10'-0" average setback allows a public/private buffer while still maintaining a strong residential connection to the street. The building siting preserves existing street tree patterns and allows new plantings to continue the tree pattern around the entire site.</p>
<p>A-3 Entrances Visible from Street</p> <p>Entries should be clearly identifiable and visible from the street.</p> <p>A-4 Human Activity</p> <p>New development should be sited and designed to encourage human activity on the street.</p>	<p><u>Response by the proponent:</u></p> <p>The main entrance is designated by a large port cochere off 4th Avenue N. The service entrance is located at the southwest corner coinciding with the loading berth of the existing building. This location minimizes vehicular traffic around the site and is located at the site's low point.</p> <p>Residential apartments face the street and have patios at grade and balconies on the upper levels. Residential living space faces all four streets creating a greater sense of security with “more eyes on the street”.</p> <p>A large courtyard with highly transparent fencing opens up onto Nob Hill Avenue N. to maximize the visual connection between residents and the neighborhood.</p>
<p>A-5 Respect for Adjacent Sites</p> <p>Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.</p>	<p><u>Response by the proponent:</u></p> <p>Project massing is pushed toward the street avoiding a centralized building with surface parking. Residential living units adjacent to the right-of-ways have private open space areas, while common space is centralized and in an axial relationship to related development to the east. The courtyard opens up to the lone single family residence on</p>

	<p>the four adjacent blocks.</p> <p>The building mass is broken up to reflect residential scale of adjacent townhomes.</p> <p>The north buildings are 9' lower than the sidewalk grade minimizing view obstructions for the residences to the north. Existing and new street trees will further screen the north buildings from the north residences.</p>
<p>A-6 Transition between Residence and Street</p> <p>For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.</p> <p><u>The Board's comments:</u> <i>The project should include creative use of landscaping and/or window placement and treatment to provide privacy. Entrances should provide security and/or weather protection. The residential street frontages should provide features, which allow privacy while encouraging visual interaction with the street.</i></p>	<p><u>Response by the proponent:</u></p> <p>The covered main entrance provides an identity marker and transitional space between public and private space, as well as weather protection to residents.</p> <p>Private residences have a buffer from the street through the use of landscaping and fencing, yet have private patios or balconies with visual connection to the street.</p> <p>Landscaping provides transition between public spaces and private patios.</p>
<p>A-7 Residential Open Space</p> <p>Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.</p> <p><u>The Board's comments:</u> <i>The board wants the architect to present their design and rational for the common open space.</i></p>	<p><u>Response by the proponent:</u></p> <p>The building is sited around a large open ended courtyard on an east-west axis. The courtyard has a strong connection with the facility common space opening directly off the dining room, and has an outdoor dining area. The siting of the courtyard creates an axial relationship between this site and the site to the east. The port cochere allows for a landscaped entry and highlights one of the two existing elm trees on the site creating an open green space along 4th avenue N. Patios and balconies are concentrated on the south facing units overlooking the courtyard and street.</p>
<p>A-8 Parking and Vehicle Access</p> <p>Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.</p> <p>C-5 Structured Parking Entrances</p> <p>The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.</p>	<p><u>Response by the proponent:</u></p> <p>The parking garage is internalized, below grade, and not visible. The parking garage entrance is located on the southern boundary of the site, in the location of the existing loading dock for the school administration building. This location is at the low point of the site and creates the shortest vehicular access path from the major arterials (Mercer Street and Roy Street). Four curb cuts are requested – 2 for the port cochere, 1 for the service vehicle loading and one oversize for the vehicular entry to the parking garage. The two curb cuts for the service loading and vehicular are separated by a planting strip.</p>

<p>A-10 Corner Lots</p> <p>Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.</p>	<p><u>Response by the proponent:</u></p> <p>Project massing occupies the four corners of the site. Brick veneer is three levels at corner bays.</p> <p>Gabled dormers break the roof line at corners.</p>
<p>B. Height, Bulk and Scale</p>	
<p>B-1 Height, Bulk and Scale Compatibility</p> <p>Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.</p> <p><u>The Board's comments:</u></p> <p><i>Articulate the building facades vertically or horizontally in intervals that conform to existing structures or platting patterns...use architectural style, details, color, or materials derived from adjacent sites.</i></p>	<p><u>Response by the proponent:</u></p> <p>The project does not exceed the maximum height of the SLUC (30' + 5' pitched roof bonus).</p> <p>The project follows the existing topography and steps back at the south elevation.</p> <p>The project bulk is pushed toward the street to provide a central courtyard while maintaining a streetscape that is compatible of the surrounding neighborhood.</p> <p>Transparent walkways connect the structures, providing a visual break along the façade.</p> <p>Scale is reduced through modulation both vertically and horizontally and matches the scale of surrounding townhomes.</p> <p>Landscape is used to “soften” blank walls.</p>
<p>C. Architectural Elements and Materials</p>	
<p>C-1 Architectural Context</p> <p>New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.</p> <p><u>The Board's comments:</u></p> <p><i>Provide lots of variation, break it down,... soften stoops.</i></p>	<p><u>Response by the proponent:</u></p> <p>No definite architectural pattern is established by the surrounding neighborhood context, however, the Queen Anne neighborhood has a long history of Victorian and Craftsman style homes.</p> <p>The project is highly modulated to fit the existing pattern and scale of the neighborhood.</p> <p>Color is used to differentiate center buildings from the corner buildings.</p> <p>Pitched roof forms give the building a residential quality. Dormers breakdown the overall size of the roof and add interest to the “fifth elevation”.</p> <p>Dormers and gables are placed at strategic locations giving upward views of downtown and the space needle.</p> <p>Elevations reflect varying adjacencies of the site, yet have a strong continuity through form, materials and detailing.</p>
<p>C-2 Architectural Concept and Consistency</p> <p>Building design elements, details, and massing should create a well-proportioned and unified building form</p>	<p><u>Response by the proponent:</u></p> <p>Material changes, trim and belly bands delineate a base, middle and top to create a well proportioned building.</p> <p>A consistent palette of materials with slight variations is used</p>

<p>and exhibit an overall architectural concept.</p> <p>Buildings should exhibit form and features identifying the functions within the building.</p> <p>In general, the roofline or top of the structure should be clearly distinguished from its façade walls.</p> <p><u>The Board's comments:</u> <i>Create opportunities for balconies and bays, examine the "5th elevation"...how it looks from above.</i></p>	<p>through out the project.</p> <p>Window fenestration patterns relate to functions within the building. Storefront systems are used to delineate common gathering space.</p> <p>The roofline is clearly distinguishable from the exterior walls.</p>
<p>C-4 Exterior Finish Materials</p> <p>Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.</p> <p><u>The Board's comments:</u> <i>The use of brick is preferred over materials that would be more difficult to integrate into the existing neighborhood residential setting.</i></p>	<p><u>Response by the proponent:</u></p> <p>Exterior materials are durable and maintainable, relate to the surrounding context and include a significant amount of brick, as requested by the board.</p> <p>Variation in textures are achieved through the use of brick, 2 different widths of vertical siding, and corrugated metal.</p>
<p>C-3 Human Scale</p> <p>The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.</p>	<p><u>Response by the proponent:</u></p> <p>Trellises, wrought iron fencing, and street-level lighting are provided.</p> <p>Brick expression includes soldier coursing, precast lintels, and insets to give a sense of human scale.</p> <p>Streetscape includes extensive landscaping, pavers, and wrought iron fencing</p>

D. Pedestrian Environment	
<p>D-1 Pedestrian Open Spaces and Entrances</p> <p>Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.</p> <p>D-2 Blank Walls</p> <p>Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.</p>	<p><u>Response by the proponent:</u></p> <p>Entrances are recessed and covered for weather protection.</p> <p>Entrances are well lit and visible for security.</p> <p>Planters, trellises, art and water features and decorative fencing will be used to "soften" the wall and create a desirable outdoor space.</p> <p><u>Response:</u></p> <p>Blank walls at stairs have trellises and climbing planting.</p>

D-3 Retaining Walls

Retaining walls near public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

D-6 Screening of Dumpsters, Utilities and Service Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

D-7 Personal Safety and Security.

Project design should consider opportunities for enhancing personal safety and security in the environment.

Response:

Existing retaining walls are extensive, and are integrated into the design as sunken patios off residential units on the north side, so that only 2 stories appear above the sidewalk.

Response:

Recycling and dumpsters are located inside the parking garage.

Response:

The 24 hours reception desk is strategically placed to have maximum visibility of the overall facility. Attractive fencing is used at the perimeter of the building to provide a buffer between private units and the street. There is no “back” of the building that will go unmonitored by staff or residents of the facility.

E. Landscaping	
<p>E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites</p> <p>Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.</p> <p>E-2 Landscaping to Enhance the Building and/or Site</p> <p>Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.</p> <p>E-3 Landscape Design to Address Special Site Conditions</p> <p>The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.</p>	<p><u>Response by the proponent:</u></p> <p>Existing street trees shall be retained and protected.</p> <p>Existing on-site trees shall be retained and protected.</p> <p>Existing on-site retaining wall to be retained.</p> <p>Generous landscaping shall be provided along all street frontages.</p> <p>Trellis', fencing, pedestrian gates, feature paving and pedestrian lighting shall be provided along and within street frontages.</p>

DEVELOPMENT STANDARD DEPARTURE MATRIX			
Development Standard Requirement	Request/Proposal	Justification	Board's Recommendation
<p>Lot Coverage 23.45.010</p> <p>The maximum lot coverage permitted for principal and accessory structures shall not exceed the following limits:</p> <p>Lowrise 3 – 45 percent or 29,951 Sq.Ft. Allowed</p>	<p>Proposed Lot Coverage:</p> <p>54 percent or 6,230 Sq.Ft.</p>	<ul style="list-style-type: none"> ▪ Design preserves 2 – 100' elm trees ▪ The design centers around a landscaped courtyard providing 156% of required open space and is highly visible to the neighborhood ▪ The project contains all parking and service vehicles below grade and out of sight, and aides a neighborhood plagued by parking and traffic problems ▪ There is significant amount of brick as requested by the DRB ▪ The existing buildings cover 50.2% of the site. ▪ The proposed projects connecting bridges cover 4% of the GSF. 	APPROVAL
<p>Structure Width and Depth Lowrise 3 – Maximum</p>	<p>Proposed width: 230'</p>	<ul style="list-style-type: none"> ▪ Increasing the width of the connecting 	APPROVAL

building width with modulation: ground related housing 75'		bridges allowed for a more viable "open" layout for the facilities common spaces.	
Setbacks 23.45.014 When there is no principal structure within 100' of a side lot line of the subject lot...the setback depth used for averaging purposes...shall be 10'	The proponent is requesting an 18" encroachment for the two stair towers on the west elevation and one stair tower on the east elevation.	<ul style="list-style-type: none"> The <u>average</u> setback of the east and west elevation is greater than 10' 	APPROVAL

BOARD RECOMMENDATIONS

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the four Design Review Board members agree that the proponent addressed the design guidance provided in their previous meetings. The Design Review Board **recommends approval** of the design as shown in updated Master Use Permit Plans.

ANALYSIS & DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendation of the four Design Review Board members present at the Design Review meeting and finds that it is consistent with the City of Seattle Design Review Guidelines for mixed-use buildings. The Master Use Permit (MUP) plans have been updated to incorporate the Board's recommendations and the requested design departures. The Board recommended that:

- The existing street trees shall be retained and protected. The proponent is expected to preserve the two (2) Elms on the eastern portion of the site,
- The main entrance port cochere on 4th Avenue N. is limited to the loading/unloading of residents, guests or staff and emergency vehicles (medical assistance, fire or police). Service and sales vehicles shall be limited to the loading berth service entrance on Valley Street,
- The landscaped courtyard and related trellis/fencing is designed and preserved as a highly visible space to the neighborhood,
- The project contain all parking and service vehicles below grade and out of site,
- The massing of the structure occupies the four corner of the site and brick veneer is at three levels of the corner bays,
- The scale of the structure is reduced through vertical and horizontal modulation that matches the scale the surrounding townhomes,
- Landscaping is used to "soften" blank walls,
- The pitched roof forms and dormers that give the buildings "fifth elevation" a residential quality are retained,
- The exterior materials are durable and maintainable, and relate to the surrounding context and include significant amounts of brick, and
- The variation in textures is achieved through the use of brick, 2 different widths of vertical siding and corrugated metal.

The Director accepts the Design Review Board's recommendations and **conditionally approves** the proposed design as presented at the April 21, 2004 meeting.

Public Comment, Master Use Permit (MUP) Review:

No comment letters were received during the comment period, which ended February 25, 2004.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the proponent's agent (dated January 13, 2004) and annotated by the Land Use Planner. The information in that checklist, supplemental information submitted by the proponent and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations. Thus, only under certain limitations/circumstances, (SMC 25.05.665 D) can mitigation of adverse environmental impacts be considered. Thus, a more detailed discussion of some of the impacts is appropriate and is noted below.

Additionally, given the relationship of this project and an adjacent project to the east by the proponent (refer to MUP project 2306825) the discussion below will consider the cumulative impacts of simultaneous developments and the need for mitigation. (SMC 25.05.670 Cumulative effects policy).

Short - Term Impacts

The following temporary construction-related impacts are expected on this site and the site to the east: temporary soils erosion; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to this proposal and the eastern proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation) and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

Air Quality Impacts

Construction on this site and the site to the east will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Noise-Related Impacts

Residential and commercial uses in the vicinity of the proposal and the eastern proposal will experience increased noise impacts during the different phases of construction on this site and the eastern site (demolition, excavation, and shoring). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the presence of some nearby residential uses and the scope of work proposed, additional measures to mitigate the anticipated noise impacts is necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary on this site and the eastern site. Therefore, as a condition of approval, the proponent will be required normally to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, and Christmas Day.)

Streets and Sidewalks

The proposed on-site excavation on this site and the eastern site is controlled by an excavation permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT.) It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

This area of the City is known to have highly congested streets, especially during peak hour traffic periods. Large construction vehicle associated with demolition, excavation and materials delivery may adversely impact peak hour traffic. There are no City codes or ordinance to address the impact of large vehicles or highly congested streets. As a result, mitigation is warranted as described below.

Construction activities may result in sidewalk closures or other obstacles to pedestrians. Similarly, traffic lanes may be affected by construction staging, deliveries, etc. The impacts on pedestrians and traffic circulation could be intensified by the cumulative effects of the two projects. Adverse impacts are

not adequately mitigated by existing City codes. Thus, additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675B) and Cumulative Effects Policy (SMC 25.05.670). A construction-phase transportation plan addressing street and sidewalk closures, as well as truck routes and hours of truck traffic, will be required to mitigate identified impacts.

Construction Parking

In addition, to this area of the City being known as having highly congested streets; it is also known as an area with a high demand for on street vehicle parking. During the public comment periods, the public express a frustration with the day to day limited available of vehicle parking and their desire for on-site vehicle parking for construction personnel.

In discussions with the project architect and proponent, on the construction/personnel schedule for this project and the eastern project, it was determined that during the early stages of construction on the site and the eastern site, local residences/businesses and visitors of the area will experience a reduced availability of convenient on-street vehicle parking, due to an increased demand on the nearby streets associated with the vehicles for 20 to 28 construction personnel driving and working at the two sites. It is the City's policy to minimize temporary adverse impacts associated with construction activities. In order to minimize this potential adverse impact the proponent has proposed and the City will condition the projects as follows:

1. During construction, eight vehicle spaces shall be leased and made available to construction personnel at the Sevi building, located 1 block west of the projects, at 812 5th Ave N.
2. During construction or until on site parking for the two sites is available, twenty vehicle spaces shall be leased and made available to construction personnel at the Mercer Street Garage, located 1 block south of the project, at 4th Ave N and Roy.
3. Upon the completion of the concrete phase, the parking garages on-site will provide in excess of 110 parking stalls, which is greater than the maximum number of people that will be on-site at any given time.

The authority to impose this condition is found in SMC 25.05.675B.2.g. of the Seattle SEPA ordinance.

Long-Term Impacts

Potential long-term or use impacts anticipated by this proposal and the eastern proposal include: increased bulk on the site; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand due to employees and visitors; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion.

Parking

The Land Use Code requires a total of forty-nine (49) parking spaces for this residential project. The MUP plans indicate sixty-nine (69) residential parking spaces are provided.

Little data exist on peak parking demand for assisted living facilities. Peak parking demand for retirement communities are approximately 0.27 space/dwelling unit. Based on this rate this project

would generate a peak demand of forty-two (42) vehicles which would be accommodated by the sixty-nine (69) parking spaces proposed. Based on this analysis no adverse impacts would result from the proposal; therefore, additional parking mitigation is not warranted.

Traffic and Transportation

The table shown below illustrates the estimated vehicle trips generated by the existing and proposed uses at this site and the site to the east. Given the net decrease in vehicle trips for the two sites into the outlying areas, no adverse impacts on traffic will occur, thus no SEPA mitigation of traffic impacts is warranted.

Trip Generation Estimates			
Use(s)	AM Peak	PM Peak	Trips per weekday
Existing			
Administrative Office with 60,000 sq.ft.)	90	90	700
Use(s)	AM Peak	PM Peak	Trips per weekday
Proposed			
155 units w/170 residents w/25 max. staff	20	24	259
Net Change	-70	-66	-441
MUP 2306825	4	8	138
Net Change	-66	-58	-303

Historic Preservation

Re-development of the project site would result in the demolition of the existing structure once used by Seattle's School District as administrative offices. At the October 6, 2004 meeting of the City's Landmarks Preservation Board, the Board voted to deny the nomination of the structure as a City landmark. A copy of that decision can be found with the Master Use Permit file. No further mitigation under SEPA authority is warranted or necessary.

Other Impacts

Several codes adopted by the City will appropriately mitigate other long-term adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Air Pollution Control Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (c).

CONDITIONS – DESIGN REVIEW

1. The proponent must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on April 21, 2004.
2. The two (2) existing Elms on the eastern portion of the site shall be retained and protected.
3. The existing street trees shall be retained and protected.

CONDITIONS – DESIGN REVIEW (non-appealable)

4. Embed all of the design review conditions above onto the cover sheet for the MUP permit and for all subsequent permits including updated MUP Plans, and all building permit drawings.
 - The Land Use Planner shall verify compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements).
 - Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval.
 - Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
 - Compliance with the above conditions shall be verified and approved by Colin R. Vasquez, Land Use Planner, 206-684-5639 or by Vincent T. Lyons, Architect & Design Review Manager, 206-233-3823 at a Pre-construction meeting. The purpose of the meeting will be to review the approved Design Review Plans and to inform the contractor that any changes to the exterior of the building must be reviewed and approved by the Land Use Planner prior to proceeding with any proposed changes.
 - You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three (3) working days in advance of scheduling a date for a Pre-construction meeting.
5. Prior to the final approval of a building permit, a field inspection appointment with the assigned Land Use Planner shall be made to ensure that compliance with the design review conditions have been achieved. The Land Use Planner will determine whether revised plans are required to be submitted following the inspection.
 - You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three (3) working days in advance of scheduling a field inspection appointment.

CONDITIONS – SEPA

Prior to the issuance of the Building Permit

6. The proponent will be required to submit a copy of the Puget Sound Clean Air Agency notice of construction. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

7. The proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day following Thanksgiving Day and Christmas Day.)
8. Sidewalks along the project site(s) shall be kept open and safely passable throughout the construction period; particular attention should be given to keeping a sidewalk along 4th Avenue N between Aloha Street and Valley Street right-of-way open and safely passable. A determination by SDOT that closure of this sidewalk is temporarily necessary, for structural modification or other purposes, shall overrule this condition. Additionally, the proponent shall submit a construction-phase transportation plan to address street and sidewalk closures, as well as truck routes and hours of truck traffic for further mitigation of their identified impacts.
9. Construction Parking.
 - During construction, eight vehicle spaces shall be leased and made available to construction personnel at the Sevi building, located 1 block west of the projects, at 812 5th Ave N.
 - During construction or until on site parking for the two sites is available, twenty vehicle spaces shall be leased and made available to construction personnel at the Mercer Street Garage, located 1 block south of the project, at 4th Ave N and Roy.
 - Upon the completion of the concrete phase, the parking garages on-site will provide in excess of 110 parking stalls, which is greater than the maximum number of people that will be on-site at any given time. These parking stalls will be available to construction personnel and if by chance parking demand exceeds this number, the proponent shall continue to lease the stalls at the Sevi, as well as additional stalls at the Mercer Street Garage.

Signature: (signature on file) Date: November 4, 2004
Colin R. Vasquez, Land Use Planner